

1 UNITED STATES DISTRICT COURT  
2 FOR THE WESTERN DISTRICT OF TEXAS  
3 EL PASO DIVISION  
4

5 UNITED STATES OF AMERICA ) No. EP-12-CR-2106-DB  
6 ) EP-13-CR-370-DB  
7 vs. ) El Paso, Texas  
8 MARCO ANTONIO DELGADO ) July 3, 2013

9 DOCKET CALL  
10  
11

12 A P P E A R A N C E S:

13 FOR THE GOVERNMENT: MS. JUANITA FIELDEN &  
14 MS. ANNA E. ARREOLA  
Assistant United States Attorneys  
700 E. San Antonio, Suite 200  
15 El Paso, Texas 79901  
16

17 FOR THE DEFENDANT: MR. RICHARD ESPER  
Attorney at Law  
18 801 N. El Paso Street, Suite 225  
El Paso, Texas 79902  
19  
20  
21  
22  
23

24 Proceedings reported by stenotype. Transcript produced by  
25 computer-aided transcription.

1 THE COURT: Call the next case.

2 THE CLERK: EP-12-CR-2106 and EP-13-CR-370, Marco  
3 Antonio Delgado.

4 MS. FIELDEN: Juanita Fielden and Anna Arreola for the  
5 Government.

6 MR. ESPER: Good morning, Judge Briones. Richard  
7 Esper and Richard Esper impersonating Ray Velarde for  
8 Mr. Delgado, Your Honor.

9 THE COURT: I understand that the doctor wants to do  
10 some follow-up, but he --

11 MR. ESPER: Your Honor --

12 THE COURT: I understand that he'll have something for  
13 us this -- this month?

14 MR. ESPER: I understand that he -- and Mr. Velarde's  
15 been communicating with Dr. Briones and he wanted additional --  
16 any and all medical records pertaining to the Defendant. We  
17 got all that to him and we also anticipate that a report may be  
18 coming sometime this month. I don't know, but I have two  
19 proposals.

20 THE COURT: Let me tell you what I'm going to do. I'm  
21 going to pass it this month because we obviously haven't made  
22 that determination, but once it is made, and I anticipate that  
23 he's going to be competent, it's going to be set for trial the  
24 very first time it comes up again.

25 MR. ESPER: Well, Your Honor, just so the Court knows,

1 just so we -- just for the heads up. The next docket call  
2 would be, I would assume, the first week of August.

3 THE COURT: Well, no.

4 Ruben?

5 THE CLERK: August 8th, Judge.

6 THE COURT: August the 8th.

7 MR. ESPER: Okay. Just so the Court knows, myself and  
8 Mr. Velarde and Ms. Fielden are going to be starting a lengthy  
9 trial on the 26th in Judge Montalvo's court.

10 THE COURT: 26 of?

11 MR. ESPER: August. So at least from my standpoint, I  
12 know that if the Court sets it for a trial, we're hoping that  
13 it will be sometime after that trial.

14 THE COURT: Okay. I'll take it up then, Mr. Esper.

15 MR. ESPER: Thank you, Your Honor.

16 THE COURT: You may be excused. Pass. Pass both  
17 cases.

18 \* \* \* \* \*

CERTIFICATION

I certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter. I further certify that the transcript fees and format comply with those prescribed by the Court and the Judicial Conference of the United States.

Date: December 6, 2017

/s/ Maria del Socorro Briggs

Maria del Socorro Briggs